

THURSDAY, APRIL 15, 2010

EIGHTY-FIRST LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Reverend Marvin Howard of Trinity United Methodist Church in Cleveland, Tennessee, a guest of Senator Watson.

PLEDGE OF ALLEGIANCE

Senator Watson led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

STANDING COMMITTEE REPORTS

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 3846 with amendment.

CROWE, Chairperson
April 12, 2010

The Speaker announced that he had referred Senate Bill No. 3846 with amendment to the Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 555 with amendment, 735 with amendment, 2395, 2817 with amendment, 2818 with amendment, 2916, 2969 with amendment, 3012 with amendment, 3036 with amendment, 3059 with amendment and 3439 with amendment;

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and House Joint Resolution No. 973; also, recommend that Senate Bills Nos. 3098, 3219 and 3222 with amendment be referred to Committee on Finance, Ways and Means.

BEAVERS, Chairperson
April 13, 2010

The Speaker announced that he had referred Senate Bills Nos. 555 with amendment, 735 with amendment, 2395, 2817 with amendment, 2818 with amendment, 2916, 2969 with amendment, 3012 with amendment, 3036 with amendment, 3059 with amendment and 3439 with amendment; and House Joint Resolution No. 973 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 3098, 3219 and 3222 with amendment to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1686, 2965 with amendment, 3234 with amendment, 3410 with amendment, 3513 with amendment, 3528 with amendment and 3622; and Senate Joint Resolution No. 756.

MCNALLY, Chairperson
April 13, 2010

The Speaker announced that he had referred Senate Bills Nos. 1686, 2965 with amendment, 3234 with amendment, 3410 with amendment, 3513 with amendment, 3528 with amendment and 3622; and Senate Joint Resolution No. 756 to the Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2686, 2697 with amendment, 2753 with amendment, 3604 with amendment, 3608 with amendment, 3719 with amendment and 3819 with amendment; also, recommend that Senate Bills Nos. 1916 with amendment, 2655 with amendment, 3049 with amendment and 3354 be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
April 14, 2010

The Speaker announced that he had referred Senate Bills Nos. 2686, 2697 with amendment, 2753 with amendment, 3604 with amendment, 3608 with amendment, 3719 with amendment and 3819 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1916 with amendment, 2655 with amendment, 3049 with amendment and 3354 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2428 with amendment, 2431 with amendment, 2433 with amendment, 2434 with amendment, 2436 with amendment, 2440

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with amendment, 2443 with amendment, 2445 with amendment, 2449 with amendment, 2451 with amendment, 2453 with amendment, 2455 with amendment, 2456 with amendment, 2457 with amendment, 2458 with amendment, 2459 with amendment, 2461 with amendment, 2462 with amendment, 2463 with amendment, 2464 with amendment and 2467 with amendment; also, recommend that Senate Bill No. 2769 be referred to Commerce, Labor and Agriculture.

WATSON, Chairperson
April 14, 2010

The Speaker announced that he had referred Senate Bills Nos. 2428 with amendment, 2431 with amendment, 2433 with amendment, 2434 with amendment, 2436 with amendment, 2440 with amendment, 2443 with amendment, 2445 with amendment, 2449 with amendment, 2451 with amendment, 2453 with amendment, 2455 with amendment, 2456 with amendment, 2457 with amendment, 2458 with amendment, 2459 with amendment, 2461 with amendment, 2462 with amendment, 2463 with amendment, 2464 with amendment and 2467 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2769 to the Committee on Commerce, Labor and Agriculture.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 744 with amendment, 1264 with amendment, 1912 with amendment, 2890 with amendment, 3008, 3246 with amendment, 3459 with amendment, 3589 with amendment and 3754; also, recommend that Senate Bills Nos. 1220 with amendment and 2757 be referred to Committee on Finance, Ways and Means.

BEAVERS, Chairperson
April 14, 2010

The Speaker announced that he had referred Senate Bills Nos. 744 with amendment, 1264 with amendment, 1912 with amendment, 2890 with amendment, 3008, 3246 with amendment 3459 with amendment, 3589 with amendment and 3754 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1220 with amendment and 2757 to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 3950 through 3952** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3950 by Senator Black.

Robertson County -- As introduced, subject to local approval, revises the hotel/motel tax. Amends Chapter 226 of the Private Acts of 1990.

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Senate Bill No. 3951 by Senator Stewart.

Bledsoe County -- As introduced, subject to local approval, establishes Healthcare Facilities Board as successor entity to Board of Hospital Directors. Amends Chapter 94 of the Private Acts of 1968; as amended.

Senate Bill No. 3952 by Senator Black.

Greenbrier -- As introduced, subject to local approval, allows nonresident property owners, in compliance with general law, to vote in town elections; redefines "department head" and "officer"; revises provisions governing bond of the recorder. Amends Chapter 158 of the Private Acts of 2002.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 172, 185, 958, 2460, 2483, 2485, 2548, 2663, 2681, 3153, 3196, 3225, 3293, 3604, 3732, 3879, 3892, 3924, 3939, 3973, 3985, 3987 and 3988** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 172 -- Estates -- As introduced, increases from five days to 10 days period in which the clerk shall mail copies of exceptions to the clerk's decision to the personal representative and the personal representative's attorney of record. Amends TCA Title 30.

House Bill No. 185 -- Courts -- As introduced, requires municipality to reimburse county for appointment of general sessions judge to serve as a municipal or city judge. Amends TCA Title 16.

House Bill No. 958 -- Boats, Boating -- As introduced, increases from 30 to 45 days the time in which person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. Amends TCA Title 69.

House Bill No. 2460 -- Sunset Laws -- As introduced, extends wildlife resources commission, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 70, Chapter 1.

House Bill No. 2483 -- Correctional Programs -- As introduced, allows TRICOR to develop policies for sale of goods to inmates within custody of the Department of Correction. Amends TCA Title 41, Chapter 22, Part 1.

House Bill No. 2485 -- Correctional Programs -- As introduced, authorizes TRICOR to sell as surplus property equipment and raw materials no longer usable by TRICOR to businesses, government, nonprofit organizations, or by auction to the public. Amends TCA Title 41, Chapter 22, Part 4.

House Bill No. 2548 -- Highways, Roads and Bridges -- As introduced, "PFC Roy W. Neal Memorial Bridge", State Route 75 in Sullivan County.

House Bill No. 2663 -- Highway Signs -- As introduced, "Veterans Memorial Highway", segment of State Route 44 in Sullivan County.

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House Bill No. 2681 -- Health Care -- As introduced, prohibits coverage for abortion services under any health care plan through an exchange required to be established in this state pursuant to federal health care reform legislation. Amends TCA Title 9, Chapter 4; Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2; Title 56; Title 68 and Title 71.

House Bill No. 3153 -- Census -- As introduced, adjusts terminology to reflect data collected through the American Community Survey instead of the census long form questionnaire. Amends TCA Section 1-3-105; Section 7-59-303; Section 13-23-103; Section 40-28-202; Section 67-5-705 and Section 68-202-601.

House Bill No. 3196 -- DNA and Genetic Testing -- As introduced, requires TBI to maintain a DNA database of certain juvenile sexual offenders and adds an adjudication of delinquency for an act which if committed as an adult would constitute aggravated rape of a child to the list of acts for which a court shall require a juvenile to submit a DNA sample. Amends TCA Title 38; Title 39 and Title 40.

House Bill No. 3225 -- Aircraft and Airports -- As introduced, clarifies property that is excluded from being defined as a heliport in a tourist resort county is limited to private property used for the landing of a privately owned and operated helicopter for private non-commercial purposes. Amends TCA Section 42-8-101.

House Bill No. 3293 -- Death -- As introduced, sets the priority as to who has the right to dispose of a dead body through cremation. Amends TCA Title 62, Chapter 5, Part 5.

House Bill No. 3604 -- Comptroller, State -- As introduced, removes the requirement that the director of the division of local finance provide to the fiscal review committee, upon request, the information necessary to determine the fiscal effect of any bill or resolution affecting local government; and requires the "comptroller" instead of the "division of local finance" or the "division of bond finance" to perform certain activities. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49; Title 58; Title 64 and Title 68.

House Bill No. 3732 -- Alcoholic Beverages -- As introduced, defines a restaurant located in a jurisdiction that has elected Tennessee River resort district status as having inside capacity of at least 40 and outside seating capacity of at least 75. Amends TCA Section 57-4-102.

House Bill No. 3879 -- Welfare -- As introduced, requires parents or caretakers receiving temporary aid for dependent children benefits to agree to participate in parent education training classes. Amends TCA Section 71-3-154.

House Bill No. 3892 -- County Government -- As introduced, excepts county governments that have adopted the County Purchasing Law of 1957 from bidding for group health insurance contracts. Amends TCA Title 5, Chapter 14 and Title 8, Chapter 27.

House Bill No. 3924 -- Highway Signs -- As introduced, "Veterans Memorial Highway", U.S. Highway 70A/79 in Crockett County.

House Bill No. 3939 -- General Assembly -- As introduced, removes language referring to the office of legislative services; changes office of management information systems to office of legislative information services. Amends TCA Title 3.

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House Bill No. 3973 -- Trenton -- As introduced, subject to local approval, creates procedure for a run-off election following the regular mayoral election in the event no candidate receives a majority of votes cast. Amends Chapter 551 of the Acts of 1903; as amended.

House Bill No. 3985 -- Lebanon -- As introduced, subject to local approval, revises the charter. Amends Chapter 685 of the Private Acts of 1929.

House Bill No. 3987 -- Dyer -- As introduced, subject to local approval, modernizes the city charter. Amends Chapter 267 of the Acts of 1899.

House Bill No. 3988 -- Springfield -- As introduced, subject to local approval, amends the charter of the City of Springfield to require employees and officers handling money to either provide liability insurance covering employee dishonesty or to secure a surety bond. Amends Chapter 1 of the Private Acts of 1989.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 3949** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced that the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 3949 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 967 through 977**; and **Senate Resolution No. 210** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 967 by Senators Crowe, Burchett, Overbey and Woodson.
Memorials, Recognition -- Larry D. Williams.

Senate Joint Resolution No. 968 by Senator Bunch.
Memorials, Recognition -- Maria Hernandez, 2010 Tennessee Youth of the Year.

Senate Joint Resolution No. 969 by Senator Overbey.
Memorials, Personal Occasion -- George W. and Olene Cagle, 80th birthdays.

Senate Joint Resolution No. 970 by Senator Finney.
Memorials, Retirement -- Michael Lynn Cole.

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Senate Joint Resolution No. 971 by Senator Finney.
Memorials, Death -- Dixie Carter.

Senate Joint Resolution No. 972 by Senator Finney.
Memorials, Interns -- Franklin T. Anderson.

Senate Joint Resolution No. 973 by Senator Overbey.
Memorials, Academic Achievement -- Anna L. Howerton, Co-Valedictorian, Alcoa High School.

Senate Joint Resolution No. 974 by Senator Kyle.
Memorials, Academic Achievement -- Joseph Charles Smith, Valedictorian, Gateway Christian School.

Senate Joint Resolution No. 975 by Senator Kyle.
Memorials, Academic Achievement -- Adrianna Bolden, Salutatorian, Trezevant High School.

Senate Joint Resolution No. 976 by Mr. Speaker Ramsey, and Senators Crowe, Ketron, Tracy, Gresham and Faulk.
Constitutional Amendments -- Proposes an amendment to Article XI, Section 5 of the Constitution of the State of Tennessee concerning charitable lotteries to include organizations exempt from federal taxation and described in 26 USC 501(c)(4) and (c)(19); authorizes multiple events.

Senate Joint Resolution No. 977 by Senator Overbey.
Memorials, Academic Achievement -- Grace A. Bickers, Co-Valedictorian, Alcoa High School.

Senate Resolution No. 210 by Senators McNally, Burchett, Overbey and Woodson.
Memorials, Death -- Thomas C. Giles III.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 704, 786, 806, 807, 1016, 1022, 1042 through 1046, 1048 through 1050, 1052 through 1058, 1061 and 1062;** and **Senate Joint Resolution No. 966** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 704 -- Memorials, Congress -- Expresses opposition to the institution of new federal review, oversight, or preemption of state health insurance laws, the creation of a federal health insurance exchange or connector, and the creation of a federal health insurance plan (public plan) option.

The Speaker announced that he had referred House Joint Resolution No. 704 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 786 -- Naming and Designating -- Campbell County, "Elk Capital of Tennessee".

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The Speaker announced that he had referred House Joint Resolution No. 786 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 806 -- Highway Signs -- "Sgt. Kenneth W. Harris, Jr., Memorial Highway", segment of State Route 49 in Dickson County.

The Speaker announced that he had referred House Joint Resolution No. 806 to the Committee on Transportation.

House Joint Resolution No. 807 -- Highway Signs -- "Frank Davidson Memorial Bridge", U.S. Highway 64 in Wayne County.

The Speaker announced that he had referred House Joint Resolution No. 807 to the Committee on Transportation.

House Joint Resolution No. 1016 -- Memorials, Recognition -- Look Twice Save a Life program.

The Speaker announced that he had referred House Joint Resolution No. 1016 to the Committee on Transportation.

House Joint Resolution No. 1022 -- Naming and Designating -- "Foot Health Awareness Month", April 2010.

The Speaker announced that he had referred House Joint Resolution No. 1022 to the Committee on General Welfare, Health and Human Resources.

House Joint Resolution No. 1042 -- Memorials, Death -- Robert B. Anderson.

The Speaker announced that he had referred House Joint Resolution No. 1042 to the Committee on Calendar.

House Joint Resolution No. 1043 -- Memorials, Sports -- Harley "Skeeter" Sift.

The Speaker announced that he had referred House Joint Resolution No. 1043 to the Committee on Calendar.

House Joint Resolution No. 1044 -- Memorials, Recognition -- Tennessee Tech Chorale.

The Speaker announced that he had referred House Joint Resolution No. 1044 to the Committee on Calendar.

House Joint Resolution No. 1045 -- Memorials, Recognition -- Dominican Sisters of St. Cecilia, 150th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1045 to the Committee on Calendar.

House Joint Resolution No. 1046 -- Memorials, Recognition -- Brittany Kyte, Miss Watauga Valley.

The Speaker announced that he had referred House Joint Resolution No. 1046 to the Committee on Calendar.

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House Joint Resolution No. 1048 -- Memorials, Personal Occasion -- Larry and Holly Drake, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1048 to the Committee on Calendar.

House Joint Resolution No. 1049 -- Memorials, Professional Achievement -- Coach Scott Conner, National Single Wing Coaches Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1049 to the Committee on Calendar.

House Joint Resolution No. 1050 -- Memorials, Recognition -- Larry and Wanda Collins, Co-Grand Marshals of the 2010 Strawberry Parade.

The Speaker announced that he had referred House Joint Resolution No. 1050 to the Committee on Calendar.

House Joint Resolution No. 1052 -- Memorials, Recognition -- Grassmere Historic Home, 200th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1052 to the Committee on Calendar.

House Joint Resolution No. 1053 -- Memorials, Retirement -- Bill Kee.

The Speaker announced that he had referred House Joint Resolution No. 1053 to the Committee on Calendar.

House Joint Resolution No. 1054 -- Memorials, Professional Achievement -- George Birdwell, TWRA Boating Officer of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1054 to the Committee on Calendar.

House Joint Resolution No. 1055 -- Memorials, Academic Achievement -- Cheatham County Central High School, Harpeth High School, and Sycamore High School students, Gateway and End-of-Course tests.

The Speaker announced that he had referred House Joint Resolution No. 1055 to the Committee on Calendar.

House Joint Resolution No. 1056 -- Memorials, Death -- Judge Dixon Hood.

The Speaker announced that he had referred House Joint Resolution No. 1056 to the Committee on Calendar.

House Joint Resolution No. 1057 -- Memorials, Retirement -- Webb Banks.

The Speaker announced that he had referred House Joint Resolution No. 1057 to the Committee on Calendar.

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House Joint Resolution No. 1058 -- Memorials, Interns -- Serena Lynn Taggart.

The Speaker announced that he had referred House Joint Resolution No. 1058 to the Committee on Calendar.

House Joint Resolution No. 1061 -- Memorials, Death -- Charles Campbell.

The Speaker announced that he had referred House Joint Resolution No. 1061 to the Committee on Calendar.

House Joint Resolution No. 1062 -- Memorials, Recognition -- Dr. Gary Benmark.

The Speaker announced that he had referred House Joint Resolution No. 1062 to the Committee on Calendar.

Senate Joint Resolution No. 966 -- State Symbols -- Adopts "Smoky Mountain Rain" as an official state song.

The Speaker announced that he had referred Senate Joint Resolution No. 966 to the Committee on State and Local Government.

NOTICES

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2411, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3834, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR

Senate Joint Resolution No. 923 -- Memorials, Professional Achievement -- Hamilton County's Teachers of the Year, Linda McMurray, John Echols, and Joey Gaby.

Senate Joint Resolution No. 924 -- Memorials, Interns -- Clarence C. Dickson.

Senate Joint Resolution No. 925 -- Memorials, Recognition -- 4-H in Tennessee, 100th anniversary.

Senate Joint Resolution No. 926 -- Memorials, Sports -- Jackson County High School girls basketball team, Class A State Champions.

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Senate Joint Resolution No. 928 -- Memorials, Interns -- Sarah N. O'Donohue.

Senate Joint Resolution No. 929 -- Memorials, Death -- Claude P. "Bud" Knowles, Jr.

Senate Joint Resolution No. 930 -- Memorials, Recognition -- Don Farmer, 2009 Trustee of the Year Award, Tennessee Library Association.

Senate Joint Resolution No. 932 -- Memorials, Death -- Ray McElhaney.

Senate Joint Resolution No. 933 -- Memorials, Professional Achievement -- Allen Dale Davis, John Bond Administrator of the Year Award.

Senate Joint Resolution No. 934 -- Memorials, Retirement -- Jim Morgan.

Senate Joint Resolution No. 935 -- Memorials, Academic Achievement -- Rachel Elizabeth West, Valedictorian, Scott High School.

Senate Joint Resolution No. 936 -- Memorials, Academic Achievement -- Shana Martin, Valedictorian, Scott High School.

Senate Joint Resolution No. 937 -- Memorials, Academic Achievement -- Marcus Allen Neal, Valedictorian, Scott High School.

Senate Joint Resolution No. 938 -- Memorials, Academic Achievement -- Brittany Black, Valedictorian, Scott High School.

Senate Joint Resolution No. 939 -- Memorials, Academic Achievement -- Jennifer Casey, Valedictorian, Scott High School.

Senate Joint Resolution No. 940 -- Memorials, Academic Achievement -- Latesha Cummins, Valedictorian, Scott High School.

Senate Joint Resolution No. 941 -- Memorials, Academic Achievement -- Dru Jacob Bradley, Valedictorian, Scott High School.

Senate Joint Resolution No. 942 -- Memorials, Academic Achievement -- Arvis Gary Blakley, Valedictorian, Scott High School.

Senate Joint Resolution No. 943 -- Memorials, Academic Achievement -- William Conatser, Valedictorian, Scott High School.

Senate Joint Resolution No. 945 -- Memorials, Academic Achievement -- Rachel Cross, Valedictorian, Scott High School.

Senate Joint Resolution No. 946 -- Memorials, Academic Achievement -- Lindsay Goodman, Valedictorian, Scott High School.

Senate Joint Resolution No. 947 -- Memorials, Academic Achievement -- Whitney Phillips, Valedictorian, Scott High School.

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Senate Joint Resolution No. 948 -- Memorials, Academic Achievement -- Jeremy Skyler Smith, Salutatorian, Scott High School.

Senate Joint Resolution No. 949 -- Memorials, Recognition -- Town of Gordonsville, 100th anniversary.

Senate Joint Resolution No. 950 -- Memorials, Death -- Anna Nicole Pirtle.

Senate Joint Resolution No. 951 -- Memorials, Academic Achievement -- Steven Allen Rimmer, Salutatorian, Stewart County High School.

Senate Joint Resolution No. 952 -- Memorials, Academic Achievement -- Katie Bivens, Salutatorian, South Fulton High School.

Senate Joint Resolution No. 953 -- Memorials, Academic Achievement -- Sarah Nicole Gammon, Valedictorian, South Fulton High School.

Senate Joint Resolution No. 954 -- Memorials, Academic Achievement -- Christina Ying En Wu, Valedictorian, Stewart County High School.

Senate Joint Resolution No. 955 -- Memorials, Death -- Eunice Mitchell Clark.

Senate Joint Resolution No. 956 -- Memorials, Academic Achievement -- Antoinette Edwards, Valedictorian, Trezevant High School.

Senate Joint Resolution No. 957 -- Memorials, Academic Achievement -- April Porter, Salutatorian, Ridgeway High School.

Senate Joint Resolution No. 958 -- Memorials, Academic Achievement -- Aaron Geovanny Bernadac, Valedictorian, Craigmont High School.

Senate Joint Resolution No. 959 -- Memorials, Academic Achievement -- Arthur Keith Goodell, Salutatorian, Craigmont High School.

Senate Joint Resolution No. 960 -- Memorials, Academic Achievement -- Max Wim Cohen Fargotstein, Valedictorian, Ridgeway High School.

Senate Joint Resolution No. 961 -- Memorials, Academic Achievement -- Atlanta Edwards, Valedictorian, Raleigh-Egypt High School.

Senate Joint Resolution No. 962 -- Memorials, Academic Achievement -- Bianca Denise Cooper, Salutatorian, Raleigh-Egypt High School.

Senate Joint Resolution No. 963 -- Memorials, Academic Achievement -- Markesha Tiera Jones, Valedictorian, Northeast Prep Academy.

Senate Joint Resolution No. 964 -- Memorials, Academic Achievement -- Angela Smith, Salutatorian, Northeast Prep Academy.

House Joint Resolution No. 1010 -- Memorials, Academic Achievement -- Victoria Ann Pierpont, Valedictorian, Big Sandy High School.

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House Joint Resolution No. 1011 -- Memorials, Academic Achievement -- Charles Kelby Snow, Salutatorian, Big Sandy High School.

House Joint Resolution No. 1012 -- Memorials, Academic Achievement -- Christina Ying En Wu, Valedictorian, Stewart County High School.

House Joint Resolution No. 1013 -- Memorials, Academic Achievement -- Steven Allen Rimmer, Salutatorian, Stewart County High School.

House Joint Resolution No. 1014 -- Memorials, Academic Achievement -- Heather Alyssa Kee, Salutatorian, Camden Central High School.

House Joint Resolution No. 1015 -- Memorials, Academic Achievement -- Tyler Leslie Curtis, Valedictorian, Camden Central High School.

House Joint Resolution No. 1017 -- Memorials, Retirement -- Wayne Dean.

House Joint Resolution No. 1018 -- Memorials, Death -- Geneva Mashburn.

House Joint Resolution No. 1020 -- Memorials, Heroism -- Dalton Wix.

House Joint Resolution No. 1023 -- Memorials, Death -- Alex Chilton.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement -- Emily Nesbitt, Valedictorian, Smith County High School.

House Joint Resolution No. 1025 -- Memorials, Academic Achievement -- Jennifer Kibbey, Salutatorian, Smith County High School.

House Joint Resolution No. 1026 -- Memorials, Academic Achievement -- Kayley Beth Wheeler, Salutatorian, Red Boiling Springs High School.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement -- Tracy Lynne Hume, Valedictorian, Red Boiling Springs High School.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement -- Sara Bowman, Salutatorian, Cannon County High School.

House Joint Resolution No. 1030 -- Memorials, Academic Achievement -- Steven Gassaway, Salutatorian, Lebanon High School.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement -- Winston Freeman Davis, Valedictorian, Lebanon High School.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement -- Alberto Vidal Hernandez, Salutatorian, Lebanon High School.

House Joint Resolution No. 1033 -- Memorials, Academic Achievement -- Julianne Price, Top 5 Graduating Senior, Cherokee High School.

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House Joint Resolution No. 1034 -- Memorials, Academic Achievement -- Jamie Michael, Top 5 Graduating Senior, Cherokee High School.

House Joint Resolution No. 1035 -- Memorials, Academic Achievement -- Autumn Manning, Top 5 Graduating Senior, Cherokee High School.

House Joint Resolution No. 1036 -- Memorials, Academic Achievement -- Hunter Hamilton, Top 5 Graduating Senior, Cherokee High School.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement -- Sierra Brooke Nelson, Top 5 Graduating Senior, Cherokee High School.

House Joint Resolution No. 1039 -- Memorials, Professional Achievement -- Carol Lawson, Signature HealthCARE Administrator, Longterm Care Administrator Week.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 3924 -- Murfreesboro -- As introduced, subject to local approval, authorizes the city council to appoint one person to hold the office of city treasurer and the office of city recorder. Amends Chapter 429 of the Private Acts of 1931; as amended.

On motion, Senate Bill No. 3924 was made to conform with **House Bill No. 3958**.

On motion, House Bill No. 3958, on same subject, was substituted for Senate Bill No. 3924.

Senate Bill No. 3930 -- Graysville -- As introduced, subject to local approval, amends the charter by revising the membership on the board of commissioners from a mayor and six commissioners to a mayor and four commissioners and to make changes consistent with the reduction in the size of the governing body. Amends Chapter 230 of the Private Acts of 1992.

On motion, Senate Bill No. 3930 was made to conform with **House Bill No. 3971**.

On motion, House Bill No. 3971, on same subject, was substituted for Senate Bill No. 3930.

Senate Bill No. 3931 -- Rutherford County -- As introduced, subject to local approval, terminates office of county attorney and authorizes county to contract with attorneys for the provision of legal services. Repeals Chapter 123 of the Private Acts of 1955 and Chapter 67 of the Private Acts of 1957.

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On motion, Senate Bill No. 3931 was made to conform with **House Bill No. 3972**.

On motion, House Bill No. 3972, on same subject, was substituted for Senate Bill No. 3931.

Senate Bill No. 3932 -- Franklin -- As introduced, subject to local approval, clarifies that the city shall have authority to grant franchises for public services to both residential and commercial users, regardless of zone; includes providers of telecommunications services or information services among those entities to which the requirements for the granting of such franchises applies. Amends Chapter 79 of the Acts of 1903; as amended.

On motion, Senate Bill No. 3932 was made to conform with **House Bill No. 3975**.

On motion, House Bill No. 3975, on same subject, was substituted for Senate Bill No. 3932.

Senate Bill No. 3933 -- Franklin -- As introduced, subject to local approval, requires that all transfers of appropriations be decided by ordinance rather than pursuant to mayoral authority; repeals provision in charter establishing duties of the treasurer. Amends Chapter 126 of the Private Acts of 1967.

On motion, Senate Bill No. 3933 was made to conform with **House Bill No. 3974**.

On motion, House Bill No. 3974, on same subject, was substituted for Senate Bill No. 3933.

Senate Bill No. 3934 -- Franklin -- As introduced, subject to local approval, repeals charter provision requiring treasurer and all department heads to be appointed or confirmed by the board of mayor and aldermen; repeals charter provision vesting city judge with juvenile court jurisdiction concurrent with that of juvenile court judges of the state. Amends Chapter 79 of the Acts of 1903; as amended.

On motion, Senate Bill No. 3934 was made to conform with **House Bill No. 3976**.

On motion, House Bill No. 3976, on same subject, was substituted for Senate Bill No. 3934.

Senate Bill No. 3936 -- Westmoreland -- As introduced, subject to local approval, changes the name "Town of Westmoreland" to "City of Westmoreland". Amends Chapter 306 of the Private Acts of 1951; as amended.

On motion, Senate Bill No. 3936 was made to conform with **House Bill No. 3978**.

On motion, House Bill No. 3978, on same subject, was substituted for Senate Bill No. 3936.

Senate Bill No. 3939 -- Lewisburg -- As introduced, subject to local approval, authorizes reading of ordinance caption on third reading. Amends Chapter 214 of the Private Acts of 1915; as rewritten.

On motion, Senate Bill No. 3939 was made to conform with **House Bill No. 3982**.

On motion, House Bill No. 3982, on same subject, was substituted for Senate Bill No. 3939.

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Senate Bill No. 3944 -- Trenton -- As introduced, subject to local approval, creates procedure for a run-off election following the regular mayoral election in the event no candidate receives a majority of votes cast. Amends Chapter 551 of the Acts of 1903; as amended.

On motion, Senate Bill No. 3944 was made to conform with **House Bill No. 3973**.

On motion, House Bill No. 3973, on same subject, was substituted for Senate Bill No. 3944.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

MOTION

Senator Faulk moved that **Senate Bill No. 2488** be considered next, out of order, which motion prevailed.

CALENDAR

Senator Faulk moved that **Senate Bill No. 2488** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Joint Resolution No. 698 -- Constitutional Amendments -- Provides for the direct popular election of the state attorney general, as amended.

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 698**, as amended, had been read.

Senator Bunch moved that **Senate Bill No. 194** be placed on the Calendar for Thursday, April 22, 2010, which motion prevailed.

Senate Bill No. 1142 -- Education, Higher -- As introduced, specifies that the restrictions imposed on the substitution of beneficiaries under the Tennessee Baccalaureate Education System Trust Act may be no less stringent than that required under the Internal Revenue Code. Amends TCA Title 49, Chapter 7, Part 8.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-805(4), is amended by deleting the same in its entirety and by substituting instead the following:

(4) Contract for the provision of all or any part of the services necessary for the management and operation of the program. The board may also contract with any other college savings program established pursuant to § 529 of the Internal Revenue Code, codified in 26 U.S.C. § 529, in order to provide similar benefits for Tennessee residents. The board may further establish, or contract for the establishment of, an incentive plan or plans to encourage Tennessee residents to participate in any such other college savings program or in any § 529 college savings program established by the state. The incentive plan or plans may consist in whole or in part of rebates, grants or scholarships to individual savings accounts established by or on behalf of Tennessee residents in any such college savings program, or the board may allocate funds using other services or programs deemed necessary or appropriate by the board to encourage college savings by Tennessee residents. The amount, terms and conditions of any such incentive plan or other services or programs shall be determined by the board through the rule-making process described in subdivision (16) of this section below. Notwithstanding this subdivision or any other law to the contrary, the availability of the amount of the incentive or the cost to cover any other services or programs authorized by this subdivision if intended to be funded by state funds shall be subject to the appropriation of funds in the General Appropriations Act for the purposes set forth in this subdivision or from any amount collected by the board under Tennessee Code Annotated, Section 49-7-805(7);

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1142**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Marrero moved that **Senate Bill No. 1472** be rereferred to the Committee on Calendar, which motion prevailed.

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Senate Bill No. 1743 -- Education -- As introduced, urges institutions with approved teacher training programs to offer comparative education programs. Amends TCA Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 of the bill in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 49-7-1___. Institutions of higher education offering approved teacher training programs under Title 49, Chapter 5, Part 55, are urged to explore ways in which research methodologies related to comparative education concepts that study and examine teaching practices and learning outcomes in other countries can be incorporated into existing curriculum.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1743**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2563 -- Medical Occupations -- As introduced, enacts the Colby Stansberry Act to regulate the release of medical or hospital records only upon the informed consent of the patient or the patient's authorized representative. Amends TCA Title 63, Chapter 2, Part 1 and Title 68, Chapter 11, Part 15.

On motion, Senate Bill No. 2563 was made to conform with **House Bill No. 2651**.

On motion, House Bill No. 2651, on same subject, was substituted for Senate Bill No. 2563.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2651** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Mr. Speaker Ramsey moved that **Senate Bill No. 2832** be moved five places down on the Calendar for today, which motion prevailed.

Senate Bill No. 2959 -- Medical Occupations -- As introduced, revises fees for medical records provided by certain healthcare providers and establishes fees for digital copies of such records. Amends TCA Title 63, Chapter 2, Part 1.

Senator Berke declared Rule 13 on **Senate Bill No. 2959**.

On motion, Senate Bill No. 2959 was made to conform with **House Bill No. 3049**.

On motion, House Bill No. 3049, on same subject, was substituted for Senate Bill No. 2959.

On motion of Senator McNally, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3049** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 3314 -- Sentencing -- As introduced, provides that an adjudication or finding by a juvenile court that a defendant committed an act as a juvenile that constitutes a Class A or Class B felony if committed by an adult counts as a "prior conviction" for purposes of determining the appropriate sentencing range for such defendant. Amends TCA Title 40, Chapter 35.

On motion, Senate Bill No. 3314 was made to conform with **House Bill No. 2626**.

On motion, House Bill No. 2626, on same subject, was substituted for Senate Bill No. 3314.

House Bill No. 2626 passed its third and final consideration by the following vote:

Ayes	24
Noes	4

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Senators voting aye were: Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Gresham, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--24.

Senators voting no were: Ford, Harper, Haynes and Marrero--4.

A motion to reconsider was tabled.

Senate Bill No. 3402 -- Alcoholic Beverages -- As introduced, removes resort in Crab Orchard from definition of premier type tourist resort; removes one of the duplicated definitions of Nashville Shores. Amends TCA Section 57-4-102(24).

Senate Bill No. 3402 passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Ford, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

Senate Bill No. 3689 -- Comptroller, State -- As introduced, removes the requirement that the director of the division of local finance provide to the fiscal review committee, upon request, the information necessary to determine the fiscal effect of any bill or resolution affecting local government; and requires the "comptroller" instead of the "division of local finance" or the "division of bond finance" to perform certain activities. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49; Title 58; Title 64 and Title 68.

On motion, Senate Bill No. 3689 was made to conform with **House Bill No. 3604**.

On motion, House Bill No. 3604, on same subject, was substituted for Senate Bill No. 3689.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3604** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 1444** be placed on the Calendar for Thursday, April 22, 2010, which motion prevailed.

Senate Bill No. 2832 -- Abuse -- As introduced, authorizes concerned family members to obtain court order to intercede when an adult is subject to abuse, neglect, or exploitation. Amends TCA Title 71, Chapter 6, Part 1.

On motion, Senate Bill No. 2832 was made to conform with House Bill No. 2778.

On motion, House Bill No. 2778, on same subject, was substituted for Senate Bill No. 2832.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-6-102, is amended by adding a new, appropriately designated subdivision thereto:

() "Relative" means spouse; child, including stepchild, adopted child or foster child; parents; including stepparents, adoptive parents or foster parents; siblings of the whole or halfblood; stepsiblings, grandparents, grandchildren, of any degree; and aunts, uncles, nieces and nephews;

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 6, Part 1, is amended by adding the following new section thereto:

§ 71-6-124.

(a)(1)(A) Any relative having personal knowledge that an adult has been the subject of a violation of § 71-6-117 or that such adult is threatened with or placed in fear of a violation of § 71-6-117 occurring against such adult may seek relief for the adult pursuant to this section by filing a sworn petition with any court with jurisdiction under this part alleging that the respondent has violated or threatens to violate § 71-6-117, regardless of the existence of any other remedy at law. For purposes of this section, "adult" shall not include a person while in the custody of intermediate care facilities for persons with mental retardation (ICFs/MR) and a person while receiving residential services or other services from a community provider through contracts with the Division of Intellectual Disability Services (DIDS), Department of Finance and Administration.

(B) The petition must allege facts, based upon personal knowledge of the petitioner, that the adult lacks capacity to consent.

(C) Venue for a petition for an order of protection, and all other matters relating to orders of protection, shall be in the county where the respondent resides or the county in which the violation of § 71-6-117 occurred or is threatened to occur. If the respondent is not a resident of this state, the petition may be filed in the county where the adult resides.

(2) The court may enter an immediate ex parte order of protection against the respondent if the petition alleges upon personal knowledge of the petitioner, and the court finds in its ex parte order, that the adult lacks capacity to consent and is in immediate danger of abuse, neglect or exploitation or that the adult's property is being, is in immediate danger of being, or has been misappropriated by the respondent.

(3) The petition and any ex parte order issued pursuant to this section shall be personally served upon the respondent and the adult. If the respondent is not a resident of this state, the ex parte order shall be served pursuant to §§ 20-2-215 and 20-2-216.

(4) Written notice of the filing of the petition and copies of the petition and the ex parte order of protection against the respondent, if any, shall be sent by certified mail, return receipt to the adult protective services unit in the county office of Department of Human Services in the county in which the petition is filed. The department shall have the right to intervene in the proceeding, but shall not otherwise be required to initiate any legal action as a result of such notice. The department may, at any time, file a petition pursuant to § 71-6-107 if it determines that the adult who is the subject of a petition for an order of protection is in need of protective services.

(5)(A) Within fifteen (15) days of service of an ex parte order of protection against the respondent, a hearing shall be held, at which time the court shall either dissolve any ex parte order that has been issued, or shall, if the petitioner has proved the adult lacks capacity to consent and the allegation of abuse, neglect or exploitation or the threat of such by a preponderance of the evidence, extend the order of protection for a definite period of time, not to exceed one hundred twenty (120) days, unless a further hearing on the continuation of such order is requested by the adult, the respondent or the petitioner; in which case, on proper showing of cause, such order may be continued for a further definite period of one hundred twenty (120) days.

(B) Any ex parte order of protection shall be in effect until the time of the hearing, and, if the hearing is held within fifteen (15) days of service of such order, the ex parte order shall continue in effect until the entry of any subsequent order of protection is issued, proceedings under Title 34, Chapters 1-3, are concluded, or the order of protection is dissolved. If no ex parte order of protection has been issued as of the time of the hearing, and the petitioner has proven that the adult lacks capacity to consent and the allegation of abuse, neglect or exploitation of the adult or the threat of such by a preponderance of the evidence, the court may, at that time, issue an order of protection for a definite period of time, not to exceed one hundred twenty (120) days.

(C) The court shall cause a copy of the petition and notice of the date set for the hearing on such petition, as well as a copy of any ex parte order of protection, to be served upon the respondent and the adult at least five (5) days prior to such hearing. Such notice shall advise the respondent and the adult that each may be represented by counsel. The court may appoint a guardian ad litem under the provisions of § 34-1-107.

(D) Within the time the order of protection is in effect, any court with jurisdiction under this part may modify the order of protection, either upon the court's own motion or upon motion of the adult, the respondent or the petitioner.

(b) An order of protection granted pursuant to this section may:

(1)(A) Order the respondent to refrain from committing a violation of this part against an adult;

(B) Refrain from threatening to misappropriate or further misappropriating any monies, state or federal benefits, retirement funds or any other personal or real property belonging to the adult; or

(C) Order the return to the adult or the adult's caretaker or conservator or other fiduciary any monies, state or federal benefits, retirement funds or any other personal or real property belonging to the adult obtained by the respondent as result of exploitation of the adult or as result of any other misappropriation of such funds or property of the adult by the respondent. The court may enter judgment against the respondent for the repayment or return to the adult or the adult's caretaker, conservator or other fiduciary of any monies, government benefits, retirement funds or any other personal or real property belonging to the adult that are under the control of or that have been obtained by the respondent as result of exploitation or misappropriation from the adult. Nothing in this subdivision (C) shall preclude an action under § 71-6-120. The court may, if the amount in question exceeds ten thousand dollars (\$10,000), require any caretaker or custodian of funds appointed under this section to post a bond as required by § 34-1-105.

(2) Enjoin the respondent from providing care for an adult, on a temporary or permanent basis, anyone who the court finds has engaged in abuse, neglect or exploitation of an adult as defined in Title 71, Chapter 6, Part 1; in any situation involving the care of such adult, whether such actions occurred in an institutional setting, in any type of group home or foster care arrangement serving adults, and regardless of whether such person, facility or arrangement serving adults is licensed to provide care for adults;

(3) Prohibit the respondent from telephoning, contacting, or otherwise communicating with the adult, directly or indirectly;

(4) Subject to the limitations otherwise stated in this section, grant any other relief deemed necessary by the court to protect an adult.

(c) All orders of protection shall be effective for a fixed period of time, not to exceed one hundred twenty (120) days. The court may modify its order at any time upon subsequent motion filed by any party together with an affidavit showing a change in circumstances sufficient to warrant the modification. The petitioner, respondent or adult, or the court on its own motion shall commence a proceeding under Title 34, Chapters 1-3, to determine whether a fiduciary should be appointed, if any party alleges that the conditions giving rise to the order of protection continue or may continue beyond the one hundred twenty (120) days.

(d)(1) If the adult and the respondent have been served with a copy of the petition and notice of hearing, the order of protection shall be effective when the order is entered. For purposes of this subdivision (d)(1), an order shall be considered entered once a hearing is conducted and when such order is signed by:

(A) The judge and all parties or counsel;

(B) The judge and one party or counsel and contains a certificate of counsel that a copy of the proposed order has been served on all other parties or counsel; or

(C) The judge and contains a certificate of the clerk that a copy has been served on all other parties or counsel.

(2) Service upon a party or counsel shall be made by delivering to such party or counsel a copy of the order of protection, or by the clerk mailing it to the party's last known address. In the event the party's last known address is unknown and cannot be ascertained upon diligent inquiry, the certificate of service shall so state. Service by mail is complete upon mailing.

(3) If the adult and the respondent have been served with a copy of the petition and notice of hearing, an order of protection issued pursuant to this part after a hearing shall be in full force and effect against the respondent from the time it is entered, regardless of whether the respondent is present at the hearing.

(4) A copy of any order of protection and any subsequent modifications or dismissal shall be issued to the petitioner, the respondent and the local law enforcement agencies having jurisdiction in the area where the adult resides. Upon receipt of the copy of the order of protection or dismissal from the issuing court or clerk's office, the local law enforcement agency shall immediately enter such order

or dismissal in the Tennessee crime information system and take any necessary action to immediately transmit it to the national crime information center.

(5) Upon violation of an order of protection entered pursuant to this section, a court may order any appropriate punishment or relief as provided for in § 36-3-610.

(e)(1) It is an offense to knowingly violate an order of protection issued pursuant to this section. A law enforcement officer may arrest a respondent who is the subject of an order of protection issued pursuant to this section with or without warrant.

(2) In order to constitute a violation of this section:

(A) The person must have received notice of the request for an order of protection;

(B) The person must have had an opportunity to appear and be heard in connection with the order of protection or restraining order; and

(C) The court must have made specific findings of fact in the order of protection that the person committed a violation of this part.

(3) Any law enforcement officer shall arrest the respondent without a warrant if:

(A) The officer has proper jurisdiction over the area in which the violation occurred;

(B) The officer has reasonable cause to believe the respondent has violated or is in violation of an order for protection; and

(C) The officer has verified that an order of protection is in effect against the respondent. If necessary, the law enforcement officer may verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement department.

(4) Any person arrested for a violation of an order of protection entered pursuant to this section shall be treated as a person arrested for a violation of an order of protection issued pursuant to Title 36, Chapter 3, Part 6.

(5) A violation of this subsection (e) is a Class A misdemeanor, and any sentence imposed shall be served consecutively to the sentence for any other offense that is based in whole or in part on the same factual allegations, unless the sentencing judge or magistrate specifically orders the sentences for the offenses arising out of the same facts to be served concurrently.

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SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2778**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 2465 -- Sunset Laws -- As introduced, extends alcoholic beverage commission, June 30, 2010. Amends TCA Title 4, Chapter 29 and Title 57, Chapter 1.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting Section 57-1-102 of the bill as amended and by substituting instead the following:

SECTION __. Tennessee Code Annotated, Section 57-1-102, is amended by designating the existing language as subsection (a) and by adding the following language as subsection (b):

(b)(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the commission:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the commission shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the commission, prior to serving as a member of the commission. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010;

(B) No person who is a member of the commission shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the commission during such person's period of service as a member of the commission. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the commission after July 1, 2010, and to all persons serving on the commission on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the commission shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the commission for one (1) year following the date such person's service on the commission ends. The provisions of this subdivision (1)(C) shall apply to members serving on the commission as of July 1, 2010, and to all members appointed to the commission subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

On motion, Amendment No. 3 was adopted.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2465**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

Senator voting no was: Marrero--1.

A motion to reconsider was tabled.

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Senate Bill No. 2714 -- Highway Signs -- As introduced, "Captain Arthur Williamson Parkway", segment of State Route 76 in Fayette County.

On motion, Senate Bill No. 2714 was made to conform with **House Bill No. 2706**.

On motion, House Bill No. 2706, on same subject, was substituted for Senate Bill No. 2714.

House Bill No. 2706 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 2735** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Finney moved that **Senate Bill No. 3194** be rereferred to the Committee on State and Local Government, which motion prevailed.

MOTION

Senator Finney moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 3194** on the calendar for the Committee on State and Local Government for Wednesday, April 21, 2010, which motion prevailed.

CALENDAR

Senator Kyle moved that **Senate Bill No. 3346** be moved two places down on the Calendar for today, which motion prevailed.

Senate Bill No. 3361 -- Taxes, Ad Valorem -- As introduced, allows a municipality to contract with another collecting official to outsource processing of property tax relief applications; permits waiver of the deadline of an application for good and reasonable cause. Amends TCA Title 67, Chapter 5, Part 7.

Senator Overbey declared Rule 13 on **Senate Bill No. 3361**.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-701, is amended by adding the following as a new subsection:

(I) Any municipality within that county may, upon ordinance or resolution of the legislative body, enter into a contract with another local collecting authority within the same county for the purpose of outsourcing the processing of tax relief applications received from taxpayers. The municipal or county collecting official shall submit all applications and supporting documents to the state for tax relief processing.

SECTION 2. Tennessee Code Annotated, Section 67-5-705(e)(1), is amended by adding the following to the end of the subdivision:

In any county having a population of not less than eight hundred thousand (800,000) according to the 2000 federal census or any subsequent federal census, the collecting official is authorized to waive application of any deadline imposed by this section upon determining that the failure to meet the deadline was excusable for good and reasonable cause as set forth in subdivisions (e)(1)(A) and (B), and based on any other information the official finds helpful in making such determination. No deadline may be extended beyond December 31 of the year following the tax year. In the case of an application that has not been submitted on or before the deadline, the following specific causes, if clearly established by the taxpayer or collecting official, shall be acceptable as good and reasonable cause for the waiver of the deadline:

(A) The taxpayer failed to meet the deadline as a result of being misled by erroneous advice or action, which was not clearly in contravention of the law, on the part of officials charged with the enforcement of state laws and regulations; or

(B) The provisions of the pertinent law or regulation were, at the time of the deadline, unsettled, unclear, and misleading to a reasonable person; and the taxpayer acted in good faith on a reasonable, though mistaken, application of such law or regulation, with the result that the taxpayer failed to meet the deadline.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Norris moved to amend as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

AMEND by deleting the language "local collecting authority" in subsection (I) in Section 1 of the bill as amended and substituting instead the language "collecting official".

AND FURTHER AMEND by deleting the language "municipal or county" in the last sentence in subsection (I) in Section 1 of the bill as amended.

AND FURTHER AMEND by deleting the language "all" in the last sentence in subsection (I) in Section 1 of the bill as amended and substituting instead the language "such".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Senator Norris moved to amend as follows:

AMENDMENT NO. 2 TO AMENDMENT NO. 1

AMEND by deleting the language "In any county having a population of not less than eight hundred thousand (800,000) according to the 2000 federal census or any subsequent federal census, the" and substituting instead the language "The" in Section 2 of the bill as amended.

Senator Kyle moved that **Senate Bill No. 3361**, as amended, be placed at the heel of the Calendar for today, which motion prevailed.

Senator Finney moved that **Senate Bill No. 3392** be placed on the Calendar for Thursday, April 22, 2010, which motion prevailed.

Senate Bill No. 3346 -- Bail, Bail Bonds -- As introduced, allows a court, when setting bail for a defendant arrested for certain alcohol-related offenses and such defendant has prior convictions for certain alcohol-related offenses or is currently already released on bail for certain alcohol-related offenses, to order monitoring devices or in-patient treatment as a condition of release and requires the court to determine whether the defendant is a danger to the community prior to release. Amends TCA Title 40.

On motion, Senate Bill No. 3346 was made to conform with **House Bill No. 3281**.

On motion, House Bill No. 3281, on same subject, was substituted for Senate Bill No. 3346.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3281** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senate Bill No. 3575 -- Highway Signs -- As introduced, "Southport Community Bridge", State Route 245 in Maury County.

On motion, Senate Bill No. 3575 was made to conform with **House Bill No. 2931**.

On motion, House Bill No. 2931, on same subject, was substituted for Senate Bill No. 3575.

House Bill No. 2931 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

MR. SPEAKER RAMSEY RELINQUISHES CHAIR

Mr. Speaker Ramsey relinquished the Chair to Senator Woodson as Speaker pro tempore.

Senate Bill No. 3828 -- TennCare -- As introduced, reduces the time within which an enrollee or applicant for TennCare uninsured or uninsurable coverage must mail documentation of any change of information given to the Bureau of TennCare from "30 days" to "10 days" after such change; and requires the Commissioner of Health to consult the Bureau of TennCare, in addition to the Tennessee Hospital Association, before requesting early completion of the report of hospital statistics. Amends TCA Title 68 and Title 71.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the Kristen K. Hunter Infection Control Act.

SECTION 2. The general assembly recognizes that community-associated methicillin resistant staphylococcus aureus (MRSA) infections present a risk to all Tennesseans and are responsible for preventable deaths among Tennesseans.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

(a) No later than July 15 of each year, the Department of Health shall issue an advisory to the Department of Education which shall be distributed to schools serving students in grades kindergarten through twelve (K-12) and in early childhood programs explaining the risks of community-associated methicillin resistant staphylococcus aureus (MRSA) infections and providing guidance on the most current methods on recognizing and preventing these infections.

(b) The Departments of Health and Education shall also prominently display on their Web sites links to this information.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3828**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

House Bill No. 2510 -- Register of Deeds -- As introduced, authorizes Hamilton County register's office to collect a \$2.00 electronic filing submission fee for each electronically-filed document recorded over the Internet through such register's county-run electronic filing portal; documents filed by governmental entities are exempt; requires approval of two-thirds of local legislative body. Amends TCA Title 8, Chapter 21, Part 10, as amended.

Senator Black moved to amend as follows:

AMENDMENT NO. 8

AMEND by inserting the figure "130,400" under the column heading "not less than" and by inserting the figure "130,500" under the column heading "nor more than" in subdivision (j)(1) in Section 1 of the bill as amended.

On motion, Amendment No. 8 was adopted.

Senator Overbey moved to amend as follows:

AMENDMENT NO. 9

AMEND by inserting the language "or any county having a population of not less than seventy-one thousand one hundred (71,100) nor more than seventy-one thousand two hundred (71,200)", between the language "(307,900)", and the language "according to" in the amendatory language of subsection (j)(1) of Section 1.

On motion, Amendment No. 9 was adopted.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 10

AMEND by deleting subdivision (j)(1) in the amendatory language of Section 1 of the printed bill and by substituting instead the following:

(j)(1) In addition to any other fee permitted in this section or by law, the register of any county having a population of:

<u>not less than</u>	<u>nor more than</u>
15,500	15,600
14,500	14,600
28,800	28,900

28,100	28,200
25,575	25,650
19,780	19,850
24,600	24,700
16,800	16,900

according to the 2000 federal census or any subsequent federal census, may demand and receive for such register's services a two dollar (\$2.00) electronic filing (efile) submission fee for each electronically filed document which is recorded over the Internet through such register's county electronic filing portal.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 10

AMEND by deleting the following language from SA 1212 (draft no. 1702261):

by deleting subdivision (j)(1) in the amendatory language of Section 1 of the printed bill and by substituting instead the following:

(j)(1) In addition to any other fee permitted in this section or by law, the register of any county having a population of:

and by substituting instead the following:

by adding the following language in the amendatory language of subsection (j)(1) of Section 1, as amended:

Senator Watson moved that **House Bill No. 2510**, as amended, be placed at the heel of the Calendar for today, which motion prevailed.

House Bill No. 3711 -- Textbooks -- As introduced, requires students be allowed to take textbooks that are assigned to the student home in order to study. Amends TCA Title 49, Chapter 6, Part 22.

House Bill No. 3711 passed its third and final consideration by the following vote:

Ayes	18
Noes	12

Senators voting aye were: Beavers, Black, Bunch, Burchett, Crowe, Ford, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--18.

Senators voting no were: Barnes, Berke, Burks, Finney, Harper, Haynes, Henry, Herron, Jackson, Marrero, Stewart and Tate--12.

A motion to reconsider was tabled.

Senate Bill No. 2488 -- Veterans -- As introduced, creates a veteran's honor medal program to recognize and honor all Tennessee veterans. Amends TCA Title 58.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 58, Chapter 3, Part 1, is amended by adding the following as a new, appropriately designated section thereto:

58-3-112.

(a) The Commissioner of Veterans Affairs is directed to convene an advisory committee consisting of the governor or the governor's designee, the Speaker of the House of Representatives or the speaker's designee, the Speaker of the Senate or the speaker's designee, the adjutant general or the adjutant general's designee, the Commissioner of Veterans Affairs or the commissioner's designee, and two (2) Tennessee veterans to be selected by the Commissioner of Veterans Affairs. The advisory committee shall make recommendations and issue findings regarding establishment of a veteran's honor medal program to appropriately recognize and honor Tennessee veterans. The advisory committee shall consider:

- (1) Design and composition of the honor medal;
- (2) Eligibility criteria for awarding the honor medal;
- (3) Public and private funding sources for the program;
- (4) Estimated cost of manufacturing and awarding such medals; and
- (5) Other matters deemed relevant by the committee.

(b) The advisory committee shall report its recommendations and findings to the general assembly no later than January 11, 2011, at which time the advisory committee shall cease to exist.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Henry moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the language "honor Tennessee veterans" in the second sentence of subsection (a) of Section 1 of the bill as amended and substituting instead the language "honor Tennessee's honorably discharged veterans".

On motion, Amendment No. 2 was adopted.

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Thereupon, **Senate Bill No. 2488**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 3361, AS AMENDED

Senator Norris moved that Amendment No. 2 to Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Norris withdrew his motion on Amendment No. 2 to Amendment No. 1.

On motion, Amendment No. 1, as amended, was adopted.

Senator Kyle moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 2 of the bill as amended in its entirety and renumbering existing sections accordingly.

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

Thereupon, **Senate Bill No. 3361**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

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FURTHER ACTION ON HOUSE BILL NO. 2510, AS AMENDED

Senator Watson moved that **House Bill No. 2510**, as amended, be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of placing **House Bill No. 2510**, as amended, on the calendar for the Committee on Finance, Ways and Means for Tuesday, April 20, 2010, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2403 -- Solid Waste Disposal -- As introduced, requires generators of mercury-added consumer products to remove such products from the stream of solid waste disposal. Amends TCA Title 68, Chapter 211.

HOUSE AMENDMENT NO. 4

AMEND by deleting the word "or" at the end of subdivision (E) of Section 4(12) of the introduced bill and adding the following new subdivisions:

(G) Medical devices; or

(H) Restorative dental materials;

Senator Southerland moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 2403**, which motion prevailed by the following vote:

Ayes 31

Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2587 -- Foster Care -- As introduced, makes certain changes regarding permanency plans for foster care, including giving parents the right to attend and participate in foster care permanency plan reviews and changing the suggested membership of foster care review boards. Amends TCA Title 36, Chapter 1 and Title 37, Chapter 2.

HOUSE AMENDMENT NO. 1

AMEND by deleting the language "a nurse" in the amendatory language of Section 8 of the bill and by substituting instead the language "a nurse, a doctor".

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Senator Black moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2587**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2643 -- Highway Signs -- As introduced, "Luther Masingill Parkway", segment of Broad Street (U.S. 11 & 72) in Chattanooga.

HOUSE AMENDMENT NO. 1

AMEND by deleting Section 5 in its entirety and by substituting instead the following:

SECTION 5. This act shall become operative only if the cost of the manufacture and installation of such signs is paid to the Department of Transportation by the City of Chattanooga within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the City of Chattanooga within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department by the City of Chattanooga within thirty (30) days of the county receiving an itemized invoice of the actual cost from the department.

Senator Watson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2643**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2813 -- Courts, Circuit -- As introduced, authorizes circuit court judges in Davidson County having domestic or probate jurisdiction to appoint one or more persons to act as magistrates. Amends TCA Section 17-2-123.

HOUSE AMENDMENT NO. 2

AMEND by deleting subdivisions (b)(2) and (b)(3) of the amendatory language of Section 1 and substituting instead the following:

(2) Provided the respective circuit court has jurisdiction in the manner provided for the hearing of cases by the court, the judge or judges for whom the master serves may direct that the master hear in the first instance the following types of cases:

- (A) Orders of protection (both hearings and reviews);
- (B) Motions to amend or alter orders of protection;
- (C) Child support petitions;
- (D) Signing appearance orders for child support cases;
- (E) Signing and hearing Show Cause orders for Temporary Support and Parenting Time;
- (F) Signing attachment orders; and
- (G) Temporary parenting plans.

(3) A master has the same authority as the judge to issue any and all process necessary in the types of cases the master is authorized by subdivision (2) to hear. The master in the conduct of authorized proceedings has the powers of a trial judge.

Senator Haynes moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2813**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2859 -- Fiscal Review Committee -- As introduced, requires fiscal review committee staff to compare actual fiscal impact of at least five public chapters to the fiscal impact as stated in the fiscal note and present such review to fiscal review committee each year. Amends TCA Title 3.

HOUSE AMENDMENT NO. 1

AMEND by adding the following language to the end of the amendatory subdivision (c)(2) in Section 1:

A written summary of the results of such review shall be provided to each member of the general assembly each year.

Senator Faulk moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2859**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2933 -- Municipal Government -- As introduced, grants municipalities exclusive right to use their names and symbols. Amends TCA Title 6, Chapter 54, Part 1.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following language as a new section:

§ 6-54-1__.

(a) Any municipality has the exclusive right to use:

(1) The full corporate name of the municipality as stated in the municipality's charter or as otherwise officially adopted by the municipality; and

(2) Any seal, insignia, flag, coat of arms, emblem, sign, logo or other visual image that has been formally adopted by the municipality.

(b) A municipality may file a civil action against a party who, without the consent of the municipality, uses:

(1) Any visual image described in subsection (a)(2) for the purpose of trade or commerce, to induce the sale of any goods or services, or to promote any public exhibition, performance, competition or similar activity; or

(2) The name of the municipality as described in subsection (a)(1), any visual image described in subsection (a)(2), or any words, combination of words or visual representation tending to cause confusion or mistake, to deceive, or to falsely suggest a connection

with or endorsement by the municipality. Notwithstanding the foregoing, a variation of the name of the municipality may be used by any organization composed of employees of the municipality.

(c)(1) In the event that the actions of any person give rise to a cause of action pursuant to subsection (b), the municipality may seek to enjoin the manufacture, use, display or sale of a protected name or image, and any court of competent jurisdiction may grant an injunction to restrain such manufacture, use, display or sale as such court may deem just and reasonable. Upon finding that a defendant has violated a municipality's exclusive rights of use pursuant to this section, the court may order that the defendant pay to such municipality all profits derived from the unauthorized manufacture, use, display or sale and all damages suffered by reason of such acts. If the court finds that the defendant's acts constitute a willful or knowing violation, or that the defendant otherwise acted in bad faith, the court, in its discretion, may enter judgment in favor of the municipality in an amount not to exceed three (3) times the amount of the defendant's profits and the municipality's damages, plus reasonable attorneys' fees.

(2) The enumeration of any right or remedy in this section shall not affect a municipality's right to prosecute an offender under any other law of this state.

(d) Any municipal mayor or mayor's designee may authorize, in writing, contributors, suppliers of goods and services, or other third parties to use the name of the municipality as described in subsection (a)(1) or a visual image as described in subsection (a)(2); provided, that such authorization shall not be granted or denied in an arbitrary or capricious manner.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Johnson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2933**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 2

AMEND by adding the following as a new, appropriately designated subsection to Section 6-54-1__ in Section 1:

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() Nothing contained in this section shall be construed to prohibit any elected municipal official from using the name or visual image of the municipality in the performance of such official's duties.

Senator Johnson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2933**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 4

AMEND by adding the following as a new subsection to Section 6-54-1__ in Section 1:

(e) Notwithstanding the provisions of this section to the contrary, any business entity or civic organization that was using the corporate or officially adopted name of any municipality in such entity's or organization's own name immediately prior to July 1, 2010, shall be permitted to continue such use whether or not the municipality that claims an exclusive right to use such name consents to the use of such name by the entity or organization so long as the entity or organization maintains its legal existence and the use of such name by the entity or organization is continuous.

AND FURTHER AMEND by deleting the effective date section and by substituting instead the following:

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

Senator Johnson moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 2933**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Faulk moved that **Senate Bill No. 3034** be placed on the Message Calendar for Thursday, April 29, 2010, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3277 -- Fireworks -- As introduced, removes the present requirement that the law enforcement officials of the county or municipality must also sign the permits for the public fireworks display along with the fire department. Amends TCA Section 68-104-211.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-104-211(a), is amended by:

(1) Deleting the language "fire and police departments" in the first sentence of subdivision (a)(4) and by substituting instead the language "fire department";

(2) Deleting the language "chief supervisory law enforcement and fire department officials" in the second and third sentences of subdivision (a)(4) and by substituting instead the language "chief supervisory fire department officials"; and

(3) Deleting the language "law enforcement or" in the fifth sentence of subdivision (a)(4).

SECTION 2. Tennessee Code Annotated, Section 68-104-211(a)(4), is amended by adding the following language following the first sentence:

At the time the application for a permit is filed for a public display to be held within the limits of a municipality, the permittee shall send a written notification to the chief supervisory official of the police department of the municipality stating the date, time and location of the public display.

SECTION 3. Tennessee Code Annotated, Section 68-104-211(a)(4), is further amended by adding the following language following the second sentence:

At the time the application for a permit is filed for a public display to be held within the limits of the county but outside the limits of a municipality, the permittee shall send a written notification to the chief supervisory law enforcement official of the county stating the date, time and location of the public display.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Burchett moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3277**, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3583 -- Education -- As introduced, allows any school resource officer who witnesses an offense by a student receiving special education to take the student into custody. Amends TCA Title 49, Chapter 10, Part 13.

HOUSE AMENDMENT NO. 1

AMEND by adding the language ", as defined by § 49-6-4202(6)," between the language "school resource officer (SRO)" and the word "may" in the amendatory subdivision (C) of Section 1 of the printed bill.

Senator Ketron moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3583**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

Senator Barnes moved that **Senate Bill No. 3854** be placed on the Message Calendar for Thursday, April 22, 2010, which motion prevailed.

Senator Watson moved that **House Bill No. 3291** be placed on the Message Calendar for Thursday, April 29, 2010, which motion prevailed.

MOTION

Senator Ketron moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 966** on the calendar for the Committee on State and Local Government for Wednesday, April 21, 2010, which motion prevailed.

RECALL OF BILL

On motion of Senator Ketron, **Senate Bill No. 3250** was recalled from the Committee on Finance, Ways and Means.

REFERRAL OF BILL

Senator Ketron moved that Senate Bill No. 3250 be rereferred to the Committee on State and Local Government, which motion prevailed.

THURSDAY, APRIL 15, 2010 -- 81ST LEGISLATIVE DAY

MOTION

Senator Ketron moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 3250** on the calendar for the Committee on State and Local Government for Wednesday, April 21, 2010, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2726, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3161, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to return to the Senate, House Bill No. 1184, as requested.

BURNEY T. DURHAM,
Chief Clerk.

RECESS

Senator Henry moved the Senate stand in recess for five minutes to allow the Committee on Transportation to meet to consider **House Joint Resolution No. 806**, which motion prevailed.

CALL TO ORDER

The Senate was called to order by Madame Speaker Pro Tempore Woodson.

ROLL CALL

Madame Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORT

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 806.

TRACY, Chairperson
April 15, 2010

The Speaker announced that he had referred House Joint Resolution No. 806 to the Committee on Calendar.

MOTION

Senator Jackson moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 806**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 806 -- Highway Signs -- "Sgt. Kenneth W. Harris, Jr., Memorial Highway", segment of State Route 49 in Dickson County.

On motion of Senator Jackson, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 806** was concurred in.

MOTION

Senator Norris moved that the Proposed Schedule for the week of April 19, 2010, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
106th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF APRIL 19, 2010**

MONDAY – April 19

4:00 p.m. Session – Senate Chamber

TUESDAY – April 20

8:30 a.m. – 12:00 p.m.	Finance, Ways & Means Committee Tax Sub immediately following Finance, Ways & Means Committee
12:00 p.m. – 1:00 p.m.	Lunch
1:00 p.m. – 3:00 p.m.	Commerce, Labor & Agriculture Committee
3:00 p.m. – 5:00 p.m.	Judiciary Committee

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WEDNESDAY – April 21

8:30 a.m. – 10:30 a.m.	State & Local Government Committee
10:30 a.m. – 12:00 noon	General Welfare, Health & Human Resources Committee
12:00 noon – 1:00 p.m.	Lunch
1:00 p.m. – 3:00 p.m.	Government Operations Committee
3:00 p.m. – 5:00 p.m.	Judiciary Committee

THURSDAY – April 22

9:00 a.m. Session – Senate Chamber

NOTE: The following committee is closed:
Education Committee

The following committees will not meet:
Environment, Conservation & Tourism Committee
Transportation Committee

RECALL OF BILL

On motion of Mr. Speaker Ramsey, **Senate Joint Resolution No. 976** was recalled from the Clerk's desk.

WITHDRAWAL OF BILL

On motion of Mr. Speaker Ramsey, Senate Joint Resolution No. 976 was withdrawn from the Senate.

RECALL OF BILL

On motion of Mr. Speaker Ramsey, **Senate Bill No. 2658** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Mr. Speaker Ramsey moved that Senate Bill No. 2658 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

On motion of Senator Watson, his name was added as sponsor of **Senate Joint Resolutions Nos. 923 and 929**.

On motion of Senator Berke, his name was added as sponsor of **Senate Joint Resolution No. 934**.

On motion of Senators Tracy and Black, their names were added as sponsors of **Senate Joint Resolution No. 949**.

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On motion of Senators Marrero, Kyle, Berke, Ford, Kelsey, Norris and Tate, their names were added as sponsors of **House Joint Resolution No. 1023**.

On motion of Senators Tracy, Beavers and Black, their names were added as sponsors of **House Joint Resolutions Nos. 1024, 1025, 1026 and 1027**.

On motion of Senators Beavers and Black, their names were added as sponsors of **House Joint Resolutions Nos. 1029, 1030, 1031 and 1032**.

On motion of Senator Finney, his name was added as sponsor of **House Joint Resolution No. 1039**.

On motion of Senator Black, her name was added as sponsor of **Senate Bill No. 2563; Senate Joint Resolution No. 698; and House Joint Resolution No. 1020**.

On motion of Senators Overbey, Burks, Marrero, Harper, Ford, Barnes and Haynes, their names were added as sponsors of **Senate Bill No. 2832**.

On motion of Senators Burks and Black, their names were added as sponsors of **Senate Bill No. 3314**.

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 2735, 3311, 3361 and 3828; and Senate Joint Resolutions Nos. 957, 958, 959, 960, 961, 962, 963 and 964**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 3194; and Senate Joint Resolution No. 932**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 3346**.

On motion of Senator Black, her name was added as prime sponsor of **Senate Bill No. 3828**.

On motion, all Senators' names were added as sponsors of **Senate Bill No. 2488; Senate Joint Resolutions Nos. 798, 925 and 926; and House Joint Resolution No. 806**.

On motion of Senator Faulk, his name was added as sponsor of **Senate Bill No. 3519; and House Joint Resolution No. 1038**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bills Nos. 2686 and 3575**.

On motion of Senator Beavers, her name was added as prime sponsor of **Senate Bill No. 2487**.

On motion of Senator Faulk, his name was removed as sponsor of **Senate Bill No. 2487**.

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 129**.

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On motion of Senator Henry, his name was added as sponsor of **Senate Bills Nos. 3234, 3513 and 3528; and House Joint Resolution No. 1052.**

On motion of Senator Jackson, his name was added as prime sponsor of **Senate Bill No. 966.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 957.**

On motion of Senator Tracy, his name was removed as sponsor of **Senate Bills Nos. 957 and 966.**

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 1055.**

ENGROSSED BILLS

April 15, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 1142, 1743, 2488, 3361, 3402 and 3828; and Senate Joint Resolutions Nos. 923, 924, 925, 926, 928, 929, 930, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963 and 964; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 172, 958, 2460, 2483, 2485, 3604, 3892, 3924, 3985, 3987 and 3988; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1338, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1046, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057 and 1058; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1061 and 1062, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1059, 1060, 1063, 1064, 1065, 1066 and 1067; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2912, 2977 and 3871; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 3154 and 3828, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 913, 914, 915, 916, 919, 920, 921, 922 and 965; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 765, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, APRIL 15, 2010 -- 81ST LEGISLATIVE DAY

ENROLLED BILLS

April 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2403, 2587, 2643, 2813, 2859, 2912, 2933, 2977, 3154, 3277, 3583, 3828 and 3871; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 765, 913, 914, 915, 916, 919, 920, 921, 922 and 965; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 14, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2479, 2668, 2995, 3022, 3588, 3635, 3737 and 3913; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 15, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 806, 1010, 1011, 1012, 1013, 1014, 1015, 1017, 1018, 1020, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037 and 1039; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

April 15, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 223, 2441, 2505, 2826, 2945, 3731 and 3929.

SIGNED

April 15, 2010

The Speaker announced that he had signed the following: House Bills Nos. 2479, 2668, 2995, 3022, 3588, 3635, 3737 and 3913.

THURSDAY, APRIL 15, 2010 -- 81ST LEGISLATIVE DAY

SIGNED

April 15, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 806, 1010, 1011, 1012, 1013, 1014, 1015, 1017, 1018, 1020, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037 and 1039.

SIGNED

April 16, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 765, 913, 914, 915, 916, 919, 920, 921, 922 and 965.

MESSAGE FROM THE HOUSE

April 16, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 765, 913, 914, 915, 916, 919, 920, 921, 922 and 965; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 765, 913, 914, 915, 916, 919, 920, 921, 922 and 965; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 14, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2630, 3004, 3030, 3276, 3339, 3397 and 3408; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 14, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 906, 907, 908, 909, 910, 911, 912, 918 and 944; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

THURSDAY, APRIL 15, 2010 -- 81ST LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

April 16, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2497, 2796, 3087, 3138, 3189, 3407 and 3866; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 19, 2010: Senate Bills Nos. 2395, 2916, 3008 and 3754; and House Joint Resolution No. 973.

This the 15th day of April, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 19, 2010: Senate Joint Resolutions Nos. 698; and Senate Bills Nos. 399, 1686, 2033, 2633, 2686, 2697, 2750, 2753, 2965, 3410, 3432, 3513, 3604, 3608, 3622, 3680, 3690, 3693, 3719, 3774, 3819, 3484 and 3875.

This the 15th day of April, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, April 19, 2010: Senate Bills Nos. 2411, 2726, 3161 and 3834; and House Bill No. 1184.

This the 15th day of April, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, April 19, 2010, which motion prevailed.